

## **REMARKS**

Claims 1-27 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejections in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 112**

Claim 2 stands rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point and distinctly claim the subject matter which Applicant regards as the invention.

Claim 2 has been amended, as shown above, in response to the Office's comments to more particularly point out and distinctly claim the subject matter that Applicant regards as the invention. Particularly, Claim 2 has been amended to recite that each access stairway for each privacy module occupies a space within the passenger cabin equivalent to one of a plurality of passenger seats within the passenger cabin. Support for this amendment is found in paragraphs 17, 19, 22 and 23 of the specification and clearly illustrated in Figures 1 and 3. Therefore, Applicants submit that amended Claim 2 is definite and particularly points out and distinctly claims the subject matter which Applicant regards as the invention.

For at least the reasons set forth above, Applicant respectfully requests that the §112 rejection of Claim 2 be withdrawn.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-6, 9-12 and 14-19 stand rejected under 35 U.S.C. §102(b) as being anticipated by Cantu et al. (U.S. Pat. No. 6,056,239). This rejection is respectfully traversed.

1. Regarding Claims 1-6, 9 and 10, Claim 1 recites, "A modular overhead privacy system for a mobile platform comprising: a plurality of independent privacy modules located longitudinally spaced apart and centered along a longitudinal center line of the mobile platform, above a passenger cabin, in an overhead crown area of the mobile platform; and a plurality of access stairways providing access to the

privacy modules from the passenger cabin, wherein each privacy module is accessible by an independent one of the access stairways.”

Applicant respectfully submits that Cantu et al. does not describe, show or suggest a modular overhead privacy system having the elements recited in Claim 1. For example, Cantu et al. does not describe, show or suggest a modular overhead privacy system having a plurality of independent privacy modules longitudinally spaced apart and centered along a longitudinal center line of the mobile platform. Rather, Cantu et al. describes aircraft passenger units 20 including seat-beds 30 that are easily and individually convertible from a sitting position to a reclining position. Each passenger unit 20 includes a ladder element to facilitate passenger access into and out of vertically adjacent passenger units 20. Additionally, Figures 1a, 1b, 2, 4, 11, 12a, 12b, 13a and 13b of Cantu et al. clearly illustrate the passenger units vertically stacked in a passenger cabin area, not longitudinally *spaced apart* from each other and not *centered* along a longitudinal center line of the mobile platform.

As a further example, Cantu et al. does not describe, show or suggest a modular overhead privacy system having a plurality of independent privacy modules located above a passenger cabin, in an overhead crown area of the mobile platform. Applicant respectfully submits that one of ordinary skill in the art of mobile platform construction would understand the ‘overhead crown area’ of a mobile platform to be the area *above* the *passenger cabin* area. Specifically, one skilled in the art of mobile platform construction would readily understand the term or phrase ‘overhead crown area’ of a mobile platform to mean the area between the outer structure of the mobile platform and the ceiling of the mobile platform passenger cabin. The Office remarks that the dictionary meaning of ‘crown’ is given as ‘the highest point’. Applicant respectfully submits that merely attempting to define the word ‘crown’ is inconsistent and out of context with the recitations of amended Claim 1. Applicant respectfully submits that amended Claim 1 recites an ‘overhead crown area’, not merely a ‘crown’. Applicant further respectfully submits that the term or phrase ‘overhead crown area’ is well known in the art of mobile platform construction to clearly and distinctly mean the area between

the outer structure of the mobile platform and the ceiling of the mobile platform passenger cabin.

Furthermore, Cantu et al. describes and shows an aircraft convertible sleeper cabin concept that will permit carriers to convert standard seating *in passenger cabins* of aircraft into advanced design convertible sleeper cabins. The convertible sleeper cabins are *a substitute for conventional seating systems used in aircraft*. Additionally, Cantu et al. describes that the modular passenger units are an arrangement *inside an aircraft passenger cabin*. Furthermore, Cantu et al. describes a system that has more than one horizontal *layer* of convertible passenger units *20 arranged above each other in three layers in tourist class passenger cabins and in two levels in business class passenger cabins*. Further yet, Cantu et al. describes that the passenger units *20 may be anchored to the floor 75 of the passenger cabin area 70* of an aircraft in order to form a convertible sleeper passenger cabin system, as shown in Figures 4a, 12a, 12b, 13a and 13b. Thus, Cantu et al. describes and shows horizontally stacked passenger units that replace conventional seats *within the passenger area of an aircraft*. Cantu et al. does not describe, show or suggest a modular overhead privacy system having a plurality of independent privacy modules located longitudinally *spaced apart and centered* along a longitudinal center line of the mobile platform, *above a passenger cabin, in an overhead crown area* of the mobile platform.

Therefore, for at least the reasons set forth above, Applicant respectfully submits that amended Claim 1 is patentable over Cantu et al. Claims 2-6, 9 and 10 depend from amended Claim 1. When the recitations of Claims 2-6, 9 and 10 are considered in combination with the recitations of amended Claim 1, Applicant submits that Claims 2-6, 9 and 10 are likewise patentable over Cantu et al.

2. Regarding Claims 11, 12, and 14-19, Claim 11 has been amended to recite, "A method for providing individuals of a mobile platform private retiring quarters, said method comprising: providing a plurality of independent privacy modules located longitudinally spaced apart and centered along a longitudinal center line of the mobile platform, above a passenger cabin, in an overhead crown area of the mobile

platform; providing a separate independent access from the passenger cabin to each said independent privacy module via a plurality of independent access stairways, each access stairway providing access to an independent one of the privacy modules via an aperture in a floor platform of the respective privacy module; and physically associating each said independent privacy module with at least one specific seat in the passenger cabin.”

Amended Claim 11 includes limitations similar to the limitations recited in amended Claim 1. Therefore, for at least the reasons set forth above with respect to amended Claim 1, Applicant submits that amended Claim 11 is also patentable over Cantu et al.

Additionally, Cantu et al. does not describe, show or suggest a method for providing individuals of a mobile platform private retiring quarters, wherein the method includes providing access from the passenger cabin of the mobile platform to longitudinally spaced apart privacy modules located in the overhead crown area of the mobile platform via independent access stairways that provide *access through an aperture* in a floor platform of the respective privacy module. Rather, Cantu et al. describes a ladder element integrally constructed within the passenger unit 20 to facilitate passenger access into and out of vertically adjacent passenger units in the aircraft, the ladder element of one passenger unit 20 being vertically aligned with a ladder unit of a vertically adjacent passenger unit 20. Furthermore, Cantu et al. describes that the fixed integrated ladders 60, FIGS. 1a, 1b, 2, 5, 6, 7, and 11 are *located on the outside lateral panel* of the hand baggage bin units 50 of all bottom and middle level modular passenger units 20. Thus, Cantu et al. does not describe, show or suggest a method for providing individuals of a mobile platform private retiring quarters, wherein the method includes providing access from the passenger cabin of the mobile platform to privacy modules located in the overhead crown area of the mobile platform *via access stairways that provide access through an aperture in the floor platform* of the respective privacy module.

Furthermore, Cantu et al. does not describe, show or suggest a method for providing individuals of a mobile platform private retiring quarters, wherein the method includes *physically associating each independent privacy module with at least one specific seat in the passenger cabin*. Rather, as set forth above, Cantu et al. describes convertible sleeper cabins that are a *substitute* for conventional seating systems used in aircraft. Thus, Cantu et al. does not describe, show or suggest physically associating independent privacy modules located in overhead crown area of the mobile platform with a specific seat in the passenger cabin of the mobile platform.

Therefore, for at least the reasons set forth above, Applicant respectfully submits that amended Claim 11 is patentable over Cantu et al. Claims 12 and 14-19 depend from amended Claim 11. When the recitations Claims 12 and 14-19 are considered on combination with the recitations of amended Claim 11, Applicant submits that Claims 12 and 14-19 are likewise patentable over Cantu et al.

For at least the reasons set forth above, Applicant respectfully requests that the §102 rejections of Claims 1-6, 9-12 and 14-19 be withdrawn.

#### **ALLOWABLE SUBJECT MATTER**

Regarding Claims 7, 8 and 13, Applicant gratefully acknowledges the Office's remarks that Claims 7, 8 and 13 would be allowable if rewritten in independent form to include the limitation of the base claims and all intervening claims. Claims 7 and 8 depend from amended Claim 1, which, in accordance with the remarks set forth above, Applicant respectfully submits is patentable over the cited reference. Likewise, Claim 13 depends from amended Claim 11, which, in accordance with the remarks set forth above, Applicant respectfully submits is patentable over the cited reference. Therefore, when the recitations of Claims 7, 8 and 13 are considered in combination with their respective base Claims 1 and 11, Applicant submits that Claims 7, 8 and 13 are likewise patentable over the cited reference.

Regarding Claims 20-27, Applicant gratefully acknowledges the Office's remarks that Claims 20-27 are allowed.

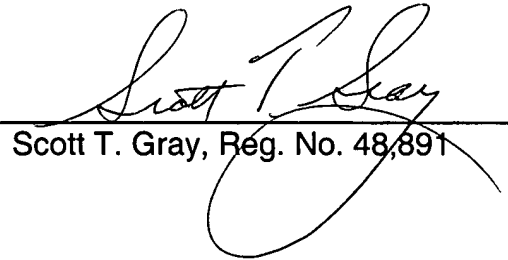
**CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (314) 726-7525.

Respectfully submitted,

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